IN THE HIGH COURT OF JUDICATURE:
AT - JABALPUR WP 5341/25 (3)

PETITIONER : Biranchi son of Ganpat Malakar, aged about 29 years, resident of Daansara, Teh- Sarangarh, District- Raigarh.

-Versus-

RESPONDENTS : (1) State of Madhya Pradesh through- Secretary, Department of Forest, Vallabn Bhawan, Bhopal.

(2) Van-Mandal Adhikari, District- Raigarh.

(3) Van-Parikshetra Adhikari, Bhoo-Sanrakshan Parikshetra, Sarangarh, District- Raigarh.

PETITION UNDER ARTICLE-226/227 CONSTITUTION OF INDIA.

XI-HC-22

(15)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 5341 सन् 2000

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	28-6-2003 Shri Anil Pandey, counsel for the petitioner. Shri Sanjay K. Agrawal, Deputy Advocate General for the respondents 2 and 3. By this writ petition under Article 226 /227 of the Constitution of India the petitioner has challenged the order of the M.P. Administrative Tribunal dated 27-7-2000 passed in Original Application No. 3448/2000 by which the Tribunal has dismissed the petitioner's application holding that the applicant being a muster roll labourer his services have been terminated under the provisions of Industrial Disputes Act 1947, with one month's notice and on payment of retrenchment compensation and gratuity, which he has been directed to collect from the officer who has issued the termination order, that is to say from respondent No.3, the Range Officer. We have heard the learned counsel for the petitioner and the learned counsel for the respondents 2 and 3. The learned counsel for the petitioner submitted that the petitioner was a regular employee and he, while drawing our attention towards Anenxure-P/4 argued that the petitioner was a regular employee. But the perusal of this document reveals that the petitioner was not a regular employee. It shows that from 16th October 1988 to 15th December 1988 he was not on the muster roll. Similarly, from 16th January 1989 till the last day of the April 1989 he was not on the muster roll and this order itself shows that the petitioner was a muster roll labourer. The petitioner has not	

(16)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

been able to produce any document which shows that he was regular employee.

In view of the above, we do not find any force in this petition and also we do not find that the Tribunal has committed any illegality or irregularity in passing the impugned order, as such the petition is without any substance and the same is dismissed.

In view of this order, I.A. No. 1353/2003 stands disposed of.

Sd/-
L.C.BHADOO
Judge

Sd/-
Chief Justice

Barve

[पीछे देखिये